

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

GLENDAM. JEZWINSKI,

Plaintiff,

v.

Case No. 12-C-671

MICHAEL J ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER

Plaintiff has filed a complaint seeking review of the decision of the Commissioner of Social Security. Ordinarily, a plaintiff must pay a statutory filing fee of \$350 to bring an action in federal court. 28 U.S.C. § 1914(a). Plaintiff has requested leave to proceed *in forma pauperis*, pursuant to 28 U.S.C. § 1915, as well as requesting a waiver of fees and costs associated with serving the defendant through the U.S. Marshal's Service. *Plaintiff should note, however, that Social Security appeals are forwarded to the defendant by the clerk via certified mail and service by the U.S. Marshals Service is not required.* Therefore, the request for waiver of those fees is denied as moot.

Section 1915 is meant to ensure indigent litigants meaningful access to federal courts. *Nietzke v. Williams*, 490 U.S. 319, 324 (1989). An indigent plaintiff may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting inability "to pay such fees or give security therefor" and stating "the nature of the action, defense or appeal and affiant's belief that the person is entitled to redress." 28 U.S.C. § 1915(a)(1).

Plaintiff filed the required affidavit of indigence. Upon review of that affidavit, it appears that plaintiff could not afford the filing fee. Accordingly, **IT IS HEREBY ORDERED** that plaintiff's request to proceed *in forma pauperis* is **GRANTED**. The request for waiver of the fees of the Marshal's Service is denied as moot.

IT IS FURTHER ORDERED that the clerk shall serve a copy of the complaint and this order on the Commissioner of Social Security. Plaintiff must provide defendants or their counsel with copies of all future motions or papers filed by the plaintiff in this action.

Dated this 13th day of July, 2012.

s/ William C. Griesbach _____
William C. Griesbach
United States District Judge